



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Zhigang Fan
TITLE : IMAGE TYPE CLASSIFICATION USING
COLOR DISCRETENESS FEATURES
APPLICATION NO. : 10/040,692
FILED : January 7, 2002
CONFIRMATION NO. : 4999
EXAMINER : Amir Alavi
ART UNIT : 2621
NOTICE OF ALLOWANCE : July 13, 2005
ATTORNEY DOCKET NO. : A1648-US-NP
XERZ 2 00458

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

"Express Mail" Mailing Label Number: EV 702962915 US

Date of Deposit: September 9, 2005

I hereby certify that the attached Fee(s) Transmittal Form, Issue Fee, Publication Fee, Response to Statement of Reasons for Allowance, Second Supplemental Information Disclosure Statement, PTO-1449 Form and "Fee Address" Indication Form are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karen M. Forsyth

(Typed or Printed Name of Sender)

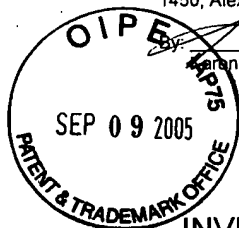
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By: *Karen M. Forsyth*
Karen M. Forsyth



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RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Issue Fee

Dear Sir:

Applicant gratefully acknowledges the indication as to the allowance of the present application.

However, applicant respectfully submits the Statements of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that the reasons for allowance may be set forth in instances in which " . . . the Examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2004)). In the present case, applicant believes the

record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicant does not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicants' claimed invention as reflected in the specification and the applicants' responses to the Examiner's office actions.

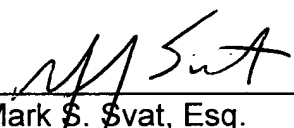
Therefore, while applicants believe the claims are allowable, applicants do not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

September 9, 2005

Date



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